

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BLUE HILLS OFFICE PARK LLC,)
Plaintiff/Defendant-in-Counterclaim)
)
v.) Civil Action No. 05-CV-10506 (WGY)
)
J.P. MORGAN CHASE BANK, as Trustee for)
the Registered Holders of Credit Suisse First)
Boston Mortgage Securities Corp., Commercial)
Mortgage Pass-Through Certificates,)
Series 1999-C1)
Defendant)
)
and CSFB 1999 – C1 ROYALL STREET, LLC)
Defendant/Plaintiff-in-Counterclaim)
)
and)
)
WILLIAM LANGELIER and)
GERALD FINEBERG)
Defendants-in-Counterclaim)
)

**BLUE HILLS OFFICE PARK LLC, WILLIAM LANGELIER AND
GERALD FINEBERG'S OBJECTION TO PROPOSED FORM OF JUDGMENT**

Blue Hills Office Park LLC, William Langelier and Gerald Fineberg (collectively, “Blue Hills”) hereby objects to the proposed form of judgment submitted by J.P. Morgan Chase Bank, as Trustee for the Registered Holders of Credit Suisse First Boston Mortgage Securities Corp., Commercial Mortgage Pass-Through Certificates, Series 1999-C1 (“J.P. Morgan”), and CSFB 1999-C1 Royall Street, LLC (“CSFB”) (collectively, the “Lender”). In the main, Blue Hills avers that there should be no award of prejudgment interest and that the attorneys’ fees and costs sought by Lender should be significantly reduced from the amount Lender seeks.

Blue Hills files herewith and incorporates herein by reference as Exhibit "A" a proposed form of judgment.

Blue Hills files contemporaneously herewith and incorporates herein by reference the following:

1. Memorandum of Blue Hills Office Park LLC, William Langelier and Gerald Fineberg on the Award of Prejudgment Interest; and
2. Opposition of Blue Hills Office Park LLC, Gerald Fineberg and William Langelier to Petition for Attorneys' Fees and Expenses of Defendants and Plaintiffs-in-Counterclaim J.P. Morgan Chase Bank, as Trustee and CSFB 1999-C1 Royall Street LLC.

WHEREFORE, Blue Hills respectfully requests that the Court enter an order:

1. Adopting the proposed form of judgment appended to this Motion;
2. Determining that Lender's attorneys' fees and costs should be significantly reduced;
3. Awarding no prejudgment interest; and
4. Providing such other and further relief as is just and proper.

Request for Oral Argument

Pursuant to Local Rule 7.1, Blue Hills requests an opportunity for oral argument on the issues addressed in the instant objection.

BLUE HILLS OFFICE PARK LLC, WILLIAM
LANGELIER AND GERALD FINEBERG,
By their attorneys,

/s/Meredith A. Swisher

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Dated: November 10, 2006
410559 v1/14500/9985

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BLUE HILLS OFFICE PARK LLC,
Plaintiff,
Defendant-in-
Counterclaim,

v.

J.P. MORGAN CHASE BANK,
as Trustee for the Registered Holders of Credit
Suisse First Boston Mortgage Securities Corp.,
Commercial Mortgage Pass-Through Certificates,
Series 1999-C1., and CSFB 1999-C1 ROYALL
STREET, LLC,

Defendants,
Plaintiffs-in-
Counterclaim,

v.

WILLIAM LANGEIER and
GERALD FINEBERG,
Defendants-in-
Counterclaim.

CIVIL ACTION
NO. 05-10506-WGY

JUDGMENT

November __, 2006

This case having come on for bench trial beginning on September 13, 2006; the Court having considered all of the evidence and arguments presented by the parties and their counsel; and the Court having rendered a decision, in accordance with Fed. R. Civ. P. 58 it is hereby

ORDERED, ADJUDGED, AND DECREED:

1. Judgment for J.P. Morgan Chase Bank, as Trustee for the Registered Holders of Credit Suisse First Boston Mortgage Securities Corp., Commercial Mortgage Pass-Through

Certificates, Series 1999-C1 (the "Trustee") and CSFB 1999-C1 Royall Street, LLC ("CSFB") shall enter on all claims asserted in the Second Amended Complaint by Blue Hills Office Park LLC ("Blue Hills"). All claims asserted by Blue Hills are dismissed with prejudice.

2. Judgment shall enter on the Counterclaim of the Trustee and CSFB as follows:

- a. Judgment against Blue Hills on Counts I and II of the Counterclaim in the amount of \$2,000,000, said amount to be paid forthwith by Blue Hills;
- b. Judgment against Gerald Fineberg and William Langelier on Count V of the Counterclaim, jointly and severally, in the amount of \$10,770, 847.00, which amount shall be reduced by \$2,000,000 to be paid by Blue Hills as provided in paragraph 2(a) above; and
- c. Dismissal with prejudice of Counts III, IV and VI of the Counterclaim against all parties.

3. Attorneys' fees and costs are awarded in the amount of \$ _____

with no prejudgment interest accruing thereon; and

4. There shall be no prejudgment interest on the Judgment set forth in paragraph 2 above.

Judgment shall enter forthwith.

SO ORDERED.

WILLIAM G. YOUNG
DISTRICT JUDGE

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